

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Town of Acushnet, Massachusetts	)	File No. 0008810812
Town of Fairhaven, Massachusetts	)	File No. 0008810821
Town of Mattapoisett, Massachusetts	)	File No. 0008810815
	)	
Request for Waiver of T-Band Suspension Notice	)	

**ORDER**

**Adopted: March 12, 2021**

**Released: March 12, 2021**

By the Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau:

1. On September 20, 2019, the Towns of Acushnet, Fairhaven, and Mattapoisett, Massachusetts (collectively, the Towns) filed modification applications and waiver requests for stations KZM468, WBN818, and WBN819 which operate in the 470-512 MHz band (T-Band).<sup>1</sup> The Towns seek a waiver of the Wireless Telecommunications Bureau's and the Public Safety and Homeland Security Bureau's (Bureaus) suspension of the processing of certain T-Band applications.<sup>2</sup> We dismiss the waiver requests and applications without prejudice.

2. The Bureaus recently released a Public Notice announcing that requests for waiver of the T-Band application suspension would be dismissed in order to provide equal opportunity to all applicants and establish a stable spectral environment in advance of the incumbent T-Band application filing window, opening on March 22, 2021.<sup>3</sup> Because the Towns' applications include a request for waiver of the suspension on acceptance of T-Band applications, they are, hereby, dismissed without prejudice<sup>4</sup> consistent with the Public Notice.

3. As incumbent T-Band licensees, the Towns' applications may be re-submitted during the filing window opening on March 22, 2021 and closing June 21, 2021.

<sup>1</sup> See Waiver- Expedited Action Requested attached to File Nos. 0008810812, 0008810821, and 0008810815 (Waiver Request).

<sup>2</sup> See *Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Suspend the Acceptance and Processing of Certain Part 22 and 90 Applications for 470-512 MHz (T-Band) Spectrum*, Public Notice, 27 FCC Rcd 4218 (WTB/PSHSB 2012) (*2012 Suspension Notice*) (freezing applications for new and modification authorizations in the T-Band). See also *Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Suspend the Processing of Applications to Renew Part 22 and 90 Licenses for Systems Operating on 470-512 MHz (T-Band) Spectrum*, PS Docket No. 13-42, Public Notice, 34 FCC Rcd 11136 (WTB/PSHSB 2019) (*2019 Suspension Notice*) (announcing that the Bureaus will accept but not grant applications to renew Part 22 and Part 90 licenses for operation in the T-Band.)

<sup>3</sup> *Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Modify Suspensions of Acceptance and Processing of Certain Part 22 and Part 90 Applications for 470-512 MHz (T-Band) Spectrum*, Public Notice, DA 21-82 (WTB/PSHSB rel. Jan. 19, 2021) (reflecting the Don't Break Up the T-Band Act, part of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, Division FF, Title IX, section 902 (2020)).

<sup>4</sup> See 47 CFR §1.925(c)(ii) (Denial of a rule waiver request associated with an application renders that application defective and it may be dismissed without prejudice.)

4. Accordingly, **IT IS ORDERED** that, pursuant to Sections 1, 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), and 303(r), and section 1.925 of the Commission's rules, 47 CFR § 1.925, the Waiver Requests filed by the Town of Acushnet, Massachusetts, the Town of Fairhaven, Massachusetts, and the Town of Mattapoisett, Massachusetts, and associated File Nos. 0008810812, 0008810821, and 0008810815, **ARE DISMISSED WITHOUT PREJUDICE**.

5. This action is taken under delegated authority pursuant to Sections 0.191(f) and 0.392 of the Commission's rules, 47 CFR §§ 0.191(f) and 0.392.

FEDERAL COMMUNICATIONS COMMISSION

Michael J. Wilhelm  
Chief, Policy and Licensing Division  
Public Safety and Homeland Security Bureau